

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES ORLANDO,

Plaintiff

V.

RODEWAY INN,

Defendant

Case No.: 2:22-cv-00404-APG-BNW

Order

Plaintiff James Orlando filed suit in this court based on diversity jurisdiction. ECF No. 1. However, Orlando did not identify the citizenship of defendant Rodeway Inn's general partners. *See Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (stating that "a partnership has the citizenships of all of its members"). I therefore ordered him to show cause why I should not dismiss this action for lack of subject matter jurisdiction. ECF No. 4.

In response, Orlando states the proper defendant is Choice Hotels International, Inc., which is a citizen of Maryland. ECF No. 5. Orlando seeks leave to amend to identify the proper defendant, whose citizenship is diverse from him. *Id.* Orlando does not need leave of the court to amend at this stage of the proceedings. Fed. R. Civ. P. 15(a). If Orlando amends his complaint consistent with the proposed amended complaint, I will enter an order deeming the order to show cause satisfied.

DATED this 28th day of March, 2022.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE